

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q72135

Tadashi YONEDA, et al.

Appln. No.: 10/528,773

Group Art Unit: 1651

Confirmation No.: 6335

Examiner: Thane E. Underdahl

Filed: March 23, 2005

For: PRODUCTION METHOD FOR ITURIN A AND ITS HOMOLOGUES

SUBMISSION OF EXECUTED DECLARATION UNDER 37 C.F.R. §1.132

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached herewith is a Declaration Under 37 C.F.R. § 1.132, executed by Tadashi Yoneda, which contains experimental data establishing that, in contradistinction to *B. subtilis* SD142 employed in the present invention, *B. subtilis* NB22 does not produce 50ppm or less surfactin in the culture medium during cultivation. Please consider the Rule 132 Declaration attached herewith in conjunction with the remarks in response to the obviousness rejection over Phae *et al.*, Tulin *et al.*, DeMain *et al.* and Gary *et al.*, submitted in the Amendment filed May 27, 2009.

Respectfully submitted,



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Date: June 17, 2009